

There was no objection offered and it was so ordered.

ADDRESS BY HONORABLE
J. L. GOODMAN

Mr. Metcalfe offered the following resolution:

Whereas, There is present at this time at the bar of the House a former dean of the membership of this body, Judge J. L. Goodman, of Robertson County; and

Whereas, Judge Goodman served the people of his district and of this State with much distinction as a Member of the Twenty-second, Thirtieth, Thirty-first, Forty-second and Forty-third Legislatures; now, therefore, be it

Resolved by the House of Representatives, That the privileges of the Floor be extended to Judge Goodman and that he be invited to address the House at this time.

METCALFE,
HOSKINS,
STEVENSON.

The resolution was read second time, and was adopted.

In accordance with the above action, Honorable J. L. Goodman was escorted to the Speaker's stand by Honorable Conde Hoskins. Speaker Calvert presented Mr. Hoskins, who in turn introduced Honorable J. L. Goodman.

Mr. Goodman then addressed the House.

PROVIDING FOR CERTAIN AD-
JOURNMENT PERIOD FOR
THE TWO HOUSES

Mr. Reader offered the following resolution:

H. C. R. No. 11, Providing for certain adjournment period for the two Houses.

Be It Resolved by the House, the Senate concurring, That both Houses be granted permission to adjourn from Thursday, January 21, 1937, to Monday, January 25, 1937.

The resolution was read second time.

Mr. Farmer moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

The motion was lost.

Question recurring on the resolution by Mr. Reader, it was adopted.

RESOLUTION SIGNED BY THE
SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and its caption had been read, the following enrolled resolution:

S. C. R. No. 8, Authorizing the use of certain State Highway equipment.

MESSAGE FROM THE SENATE

Austin, Texas, January 21, 1937.

Hon. Robert W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. C. R. No. 11, Granting permission to the House of Representatives and Senate to adjourn from Thursday, January 21, 1937, to Monday, January 25, 1937.

Respectfully,

BOB BARKER,
Secretary of the Senate.

ADJOURNMENT

On motion of Mr. Reader, the House, at 10:50 o'clock a. m., adjourned until 10:00 o'clock a. m., next Monday.

SEVENTH DAY

(Monday, January 25, 1937)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Calvert.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Callan
Adkins	Carssow
Alexander	Cathey
Alsup	Celaya
Amos	Cleveland
Baker	Colquitt
Bates	Davis of Haskell
Beckworth	Davis of Jasper
Bell	Davison of Fisher
Boethel	Dean
Bond	Dèglandon
Boyer	Derden
Bradbury	Dickison
Bradford	Dollins
Bridgers	England
Brown	Farmer
Burton	Felty
Cagle	Fielden

Fox	McKee
Fuchs	McKinney
Gibson	Monkhouse
Graves	Morris
Hamilton	Morse
Hankamer	Newton
Hanna	Nicholson
Harbin	Oliver
Hardin	Palmer
Harper	Patterson of Mills
Harrell	Patterson
Harris of Archer	of Travis
Harris of Dallas	Petsch
Harris of Dickens	Pope
Hartzog	Powell
Heflin	Prescott
Herzik	Quinn
Holland	Ragsdale
Hoskins	Reader
Howard	Reed of Bowie
Huddleston	Rhodes
Hull	Riddle
Hyder	Roark
Jackson	Ross
James	Russell
Johnson of Ellis	Rutta
Johnson	Schuenemann
of Tarrant	Settle
Jones of Angelina	Sewell
Jones of Atascosa	Sharpe
Jones of Falls	Shell
Keefe	Simpson
Keith	Skaggs
Kenyon	Smith of Hopkins
Kern	Smith
King	of Matagorda
Knetsch	Smith of Tarrant
Langdon	Stevenson
Lankford	Stocks
Lanning	Talbert
Leonard	Tarwater
Leyendecker	Tennant
Little	Tennyson
Loggins	Thornberry
London	Thornton
Lucas	Vale
Mann	Waggoner
Mauritz	Walker
Mays	Weldon
McConnell	Winfree
McCracken	Wood
McDonald	Worley
McFarland	

Absent—Excused

Blankenship	Leath
Broadfoot	Metcalf
Davisson	Moffett
of Eastland	Reed of Dallas
Jones of Wise	Stinson
Kelt	Westbrook

A quorum was announced present.

Rev. George W. Coltrin, Chaplain,
offered prayer.

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Davisson of Eastland for today, on motion of Mr. Prescott.

Mr. Moffett for today on motion of Mr. Alexander.

Mr. Jones of Wise for today, on motion of Mr. Thornton, on account of important State business.

Mr. Leath for today, on motion of Mr. Wood.

The following Members were granted leaves of absence on account of illness:

Mr. Stinson for today, on motion of Mr. Hankamer.

Mr. Broadfoot for today, on motion of Mr. Harrell.

Mr. Kelt for today, on motion of Mr. Weldon.

Mr. Westbrook for today, on motion of Mr. Oliver.

Mr. Metcalfe for today, on motion of Mr. Morris.

Mr. Blankenship for today, on motion of Mr. Leonard.

Mr. Reed of Dallas for today, on account of a death in his family, on motion of Mr. Harris of Dallas.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Smith of Matagorda:

H. B. No. 211, A bill to be entitled "An Act to amend Article 6954 of the Revised Civil Statutes of Texas, 1925, Chapter 6, Title 121, with reference to the mode of preventing horses, and certain other animals from running at large in the counties names, so as to include the county of Brazoria, and declaring an emergency."

Referred to the Committee on Live Stock and Stock Raising.

By Mr. Amos:

H. B. No. 212, A bill to be entitled "An Act regulating the practice of lobbying, providing that no person, firm, corporation or association of persons shall purchase anything of value for any Member of either

House of the Legislature; providing that no person appearing in the capitol building for the purpose of urging the defeat or passage of any bill shall wear a distinguishing jacket or coat; providing that all Members of either House of the Legislature shall display a placard bearing the names of any person, firm, corporation or association of persons who pays to such Members a salary or retainer fee; prescribing a penalty for the violation of the provisions of this Act, and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Stinson and Mr. Thornton:

H. B. No. 213, A bill to be entitled "An Act amending Article 4725 of the Revised Civil Statutes of 1925, as amended Acts, 1935, Forty-fourth Legislature, page 28, Chapter 10; designating the securities in which the funds of life insurance companies may be invested; providing that life insurance companies may invest funds in interest bearing notes or bonds of the University of Texas, and declaring an emergency."

Referred to the Committee on Insurance.

By Mr. Stinson and Mr. Thornton:

H. B. No. 214, A bill to be entitled "An Act amending Article 5006 of the Revised Civil Statutes of 1925, as amended by Acts, 1935, Forty-fourth Legislature, page 22, designating the securities in which the funds of general casualty companies may be invested; providing that general casualty companies may invest funds in interest bearing notes or bonds of the University of Texas, and declaring an emergency."

Referred to the Committee on Insurance.

By Mr. Moffett:

H. B. No. 215, A bill to be entitled "An Act creating a special Road Law for Hardeman County, Texas, authorizing the funding and refunding of items of indebtedness, outstanding on December 14, 1936, against the road and bridge fund of said County, into time warrants, prescribing the terms and conditions in reference to said time warrants, and the duties of the officers in the issuance thereof; validating an order passed by the Commissioner's Court of Hardeman

County, Texas, on December 14, 1936, and the items of indebtedness described therein and authorized to be funded and refunded into time warrants; providing that this law shall be cumulative of general laws on the subject of roads and bridges and on the subject of funding and refunding warrants, when not in conflict with the provisions hereof; enacting provisions incident and relating to the subject and purpose of this Act; repealing all laws in conflict, and declaring an emergency."

Referred to the Committee on Highways and Motor Traffic.

By Mr. Winfree:

H. B. No. 216, A bill to be entitled "An Act to amend Articles 2503, 2504 and 2507, Title Forty-six, Revised Civil Statutes of Texas, 1925, having relation to the capital structure and interest charges of mutual loan corporations."

Referred to the Committee on Banks and Banking.

By Mr. Holland:

H. B. No. 217, A bill to be entitled "An Act to amend Chapter 8 of Title 15 of the Penal Code of the State of Texas, 1925, by adding thereto a new section to be known and cited as Article 1183A, to be inserted immediately following Article 1183 thereof, providing in prosecutions for rape by force, threats or fraud, that the failure of the prosecutrix to make immediate outcry may or may not constitute an evidence of consent as the jury may determine, and same shall be a question of fact for the jury, whose determination of the issue shall be final; providing nothing herein shall prevent any such cause being reversed for insufficiency of the evidence; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

By Mr. Hardin, Mr. Newton and Mr. James:

H. B. No. 218, A bill to be entitled "An Act to amend House Bill No. 423, Acts of the Forty-fourth Legislature, Regular Session, by providing that Limestone, Robertson and Milam Counties be excepted from the provisions of said bill, and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Lanning and Mr. Mauritz:

H. B. No. 219, A bill to be entitled "An Act creating a public school insurance fund, providing that all public schools and property therein used for public school purposes shall be insured; providing for the custody, supervision and administration of the fund, and a means of fixing rates; setting forth the losses to be covered, the beneficiaries, the person who shall make application for insurance, and provisions for payment of premiums; defining certain terms; and providing a penalty, and declaring an emergency."

Referred to the Committee on Education.

By Mr. Mann:

H. B. No. 220, A bill to be entitled "An Act to amend Article 1147, Title 15, of the Revised Penal Code of Texas by adding, as a circumstance under which an assault or battery becomes aggravated, the assault of any person employed by a newspaper or news magazine, having a daily, semi-weekly, weekly or bi-weekly circulation to obtain photographs for such newspaper or news magazine for publication, while such person is so engaged in obtaining such photographs for publication in such newspapers or news magazines, and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

By Mr. Thornton:

H. B. No. 221, A bill to be entitled "An Act to amend Article 1302, Chapter 1, Title 32 of the Revised Statutes of 1925, by adding thereto Section 99, so as to provide for the creation of private corporations for the purpose of producing, mining, manufacturing, buying and selling of building materials of all kinds."

Referred to the Committee on Municipal and Private Corporations.

By Mr. Heflin, Mr. Morse, Mr. Winfree, Mr. Howard and Mr. Mann:

H. B. No. 222, A bill to be entitled "An Act amending Article 1041, Title 15, Code of Criminal Procedure, Revision of 1925, and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Mann:

H. B. No. 223, A bill to be entitled "An Act amending Article 483, Title 9, of the Revised Penal Code of the State of Texas, 1925, and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

By Mr. Metcalfe:

H. B. No. 224, A bill to be entitled "An Act to validate all ad valorem tax levies heretofore made by incorporated cities and towns in the State of Texas which levies are unenforceable because of failure of the governing body of each respective incorporated city and town to make such levy by ordinance, and which are unenforceable because of the failure of such governing bodies to appoint the Statutory Board of Equalization, or where the City Council, City Commission, or other governing body of such incorporated city or town has acted as a Board of Equalization in the fixing of the valuation of taxable property for ad valorem taxes within any such incorporated city or town; providing this Act shall not validate any levies for ad valorem taxes where the validity of such levy has been contested in any pending suit, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Bridgers:

H. B. No. 225, A bill to be entitled "An Act to amend Article 666-3, Chapter 6, of the Acts of the Forty-fourth Legislature of the Second Called Session, relating to intoxicating liquors, and in lieu of said Article to provide the appointment by the Governor of ten (10) supervisors for the enforcement of this Act in cities of twenty five (25,000) thousand inhabitants or more; and to provide salary for said supervisors and for a bond and authorizing said supervisors to inspect the premises of all licensees and collect liquor taxes; such supervisors to have power of sheriffs in the enforcement of this Act and empowering the Governor, the Liquor Control Board and the supervisors to enforce the provisions and to perform such other acts as may be necessary to carry out the provisions of this Act; and to revoke licenses for disorderly conduct on the part of licensees, which disorderly conduct shall include the

sale of liquor, or beverages, to any person who is intoxicated, or is about to become intoxicated; and to define intoxication and provide that any licensee or his agents, servants and employees who shall sell any liquor, beer or wine to one who is intoxicated, or about to become intoxicated, shall be fined not less than Twenty-five (\$25.00) Dollars nor more than Two Hundred (\$200.00) Dollars and upon second conviction shall forfeit his license; providing for an appeal for forfeiture of such license; re-enacting Article 666-3a of this Act and adding to said Act Article 666-3b providing that in addition to all other licenses or permits for the sale of alcoholic liquor, beer and wine, there shall be issued a license to authorize the sale of liquor, wine and beer by the drink; and

“(b) A license to authorize the sale of beer, wine or liquor by the drink and in original packages and to provide for a license for such sale of liquor in cities of twenty-five (25,000) thousand inhabitants or more; and adding Article 666-3c providing for the calling of a local option election by the Commissioners Court of any county in which there is a city of twenty-five (25,000) thousand inhabitants, or more, to determine whether or not intoxicating liquor shall be sold by the drink; and by adding Article 666-3d providing for the method of holding such local option election; and by adding Article 666-3e; and Article 666-3f and Article 666-3g; further providing for the holding of such local option election; and by adding Article 666-3h prohibiting the open saloon and providing how the premises shall be conducted by the licensees, prescribing certain qualifications for such place of business and providing for the forfeiture of licenses for violation of such provisions; and adding Article 666-3i providing that the City Council of each city having twenty-five (25,000) thousand inhabitants or more, be authorized and empowered by ordinance to fix hours of sale of intoxicating liquor and to define districts in which such liquor may or may not be sold and validating pre-existing ordinances in such cities, and providing for an emergency.”

Referred to the Committee on Liquor Traffic.

By Mr. Tennyson, Mr. Walker, Mr. Holland, Mr. McFarland, Mr. Hankamer and Mr. Leonard:

H. B. No. 226, A bill to be entitled “An Act to exempt Water Improvement Districts, Water Control and Improvement Districts and Levee Improvement Districts, incorporated as public municipal corporations under the laws of this State from the payment of registration fees on motor vehicle trailers and semi-trailers owned by and exclusively used in the service of such districts, providing, however, that such district owning such motor vehicles shall apply annually to register all such vehicles but shall not be required to pay the registration fees provided by law, and providing further, that affidavit is made at the time of registration by a person who has the proper authority, that such vehicles of such district are owned by such district and are so exclusively used by it, repealing all laws in conflict herewith, and declaring an emergency.”

Referred to the Committee on Highways and Motor Traffic.

By Mr. Boethel, Mr. Bell, Mr. Herzik, Mr. Leonard, Mr. Mauritz, Mr. Metcalfe and Mr. Hoskins:

H. B. No. 227, A bill to be entitled “An Act making appropriation for the support, maintenance, and equipment of the Division of Plant Pathology and Physiology of the Texas Agricultural Experiment Station of the A. & M. College of Texas, College Station, Texas, for the two year period beginning September 1, 1937, and ending August 31, 1939, and prescribing certain regulations and restrictions in respect to the expenditure of said appropriations.”

Referred to the Committee on Appropriations.

By Mr. Brown:

H. B. No. 228, A bill to be entitled “An Act authorizing a county local option election to decide whether or not such county shall have compulsory vaccination of dogs against rabies; providing that if such county votes in favor of compulsory vaccination that the owners of all dogs in such county shall have the same vaccinated by a licensed veterinarian who shall issue a tag which shall be worn on the collar about the neck of such animal; providing that under

certain conditions all dogs not vaccinated and running at large may be destroyed, and declaring an emergency."

Referred to the Committee on Live Stock and Stock Raising.

By Mr. Brown:

H. B. No. 229, A bill to be entitled "An Act to amend Article 2687, Revised Civil Statutes of Texas, 1925; prescribing the time of meeting of the County Board of School Trustees in counties containing 10,000 scholastic population or more according to the last preceding scholastic census; providing for their compensation; providing the fund from which same shall be paid; repealing all laws and parts of laws in conflict, and declaring an emergency."

Referred to the Committee on Education.

By Mr. Oliver:

H. B. No. 230, A bill to be entitled "An Act providing an open season for the taking and shooting of squirrels; providing an open season for the shooting of quail; providing a bag limit for squirrels, a bag limit and possession limit for quail; providing a penalty for any violation of this Act; repealing all laws in conflict with this Act; providing that the provisions of this Act shall apply to Shelby County only, and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Mauritz:

H. B. No. 231, A bill to be entitled "An Act providing that the Board of Insurance Commissioners shall require any corporation, person, firm, association, local mutual aid association, or any local organization, company or organization to have a permit or certificate of authority in order to carry on any insurance business; providing that the Commissioner of Insurance shall make known to the Attorney General of the State of Texas any violation of this Act, said Attorney General to institute proceedings to restrain those named from writing any insurance of any kind or character without such permit or exemption certificate; providing that any of the organizations, companies, firms, corporation, lodges, societies, associations, orders or persons exempt

from the provisions of Senate Bill No. 220, Acts, 1929, Regular Session, Forty-first Legislature of Texas, as amended herein, as well as county mutual fire insurance associations organized and operating prior to the repeal of Article 4916, Chapter 10, Title 71 of the Revised Civil Statutes of 1911, and operating continuously to the present shall not be required to have a permit, but shall be required to secure an exemption certificate; defining a misdemeanor and prescribing a penalty; repealing Section 2a of House Bill No. 373, Acts Regular Session, Forty-fourth Legislature of the State of Texas, 1935; amending Section 29 of Senate Bill No. 220, Acts, Regular Session, Forty-first Legislature of the State of Texas, 1929; amending Article 4857 of the Revised Civil Statutes of Texas, 1925; providing that those affected by this Act claiming to be exempt from securing a license or permit to carry on an insurance business shall annually file with the Board of Insurance Commissioners a report in such form as may be required by said Board of Commissioners, setting forth the exempt character of such business and such other information as is required; providing that the Board of Insurance Commissioners, upon examination of such report and finding such business to be of exempt character, shall issue a certificate of exemption; providing a filing fee to accompany reports and fee for certificate of exemption, and appropriating all fees collected under this bill to be a special and separate fund to be used by said Board of Insurance Commissioners for expenses connected with the enforcement of this law; providing a saving clause, and declaring an emergency."

Referred to the Committee on Insurance.

By Mr. Mauritz:

H. B. No. 232, A bill to be entitled "An Act closing the waters of Caranchua Bay in Calhoun and Jackson Counties to certain types of net fishing, and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Johnson of Ellis:

H. B. No. 233, A bill to be entitled "An Act authorizing Mrs. Fannie Williams, a widow, to sue the State of Texas and/or the State Highway

Commission in its official capacity, on account of damages to Block 28—A Williams Addition to Waxahachie, Ellis County, Texas, by reason of the construction over and maintenance across said lot of State Highway No. 6, being United States Highway No. 77, as constructed and maintained across and upon said lands by the State Highway Commission of Texas, fixing the venue of such suit and providing for the issuance and service of process therein."

Referred to the Committee on State Affairs.

By Mr. Morse, Mr. Howard, Mr. Mann, Mr. Winfree and Mr. Heflin:

H. B. No. 234, A bill to be entitled "An Act creating the Harris County Flood Control District, declaring it to be a governmental agency for reclamation and flood control in Harris County, defining its powers, authorizing it to acquire and dispose of property, to sue and be sued, to adopt a seal, to appoint a general manager and other officers, agents and employees, and counsel, to fix compensation and to prescribe their duties, providing for surveys, authorizing the devising of plans and the construction of works for flood control and reclamation, to prevent the deposit of silt in navigable streams, authorizing the removal of obstructions, permitting cooperation and contracting with the United States of America and its agencies and the acceptance of grants, loans and advancements, the cooperation with Harris County and adjacent political subdivisions; creating a Board of Directors, providing for the appointment, the term of office and qualifications, including an oath of office and bond, fixing the compensation of the directors, providing for a chairman, quorum; providing for a hearing on flood control projects and the desirability of absorbing the present drainage districts in the County and their outstanding indebtedness as a part of the general flood control plan of the District; authorizing an election, providing for the call thereof, the qualification of voters, notice to be given, the return of the election and the declaration of the result by the Commissioner's Court of the County; the fixing of a tax for the District, providing that the collector and assessor of taxes in the County shall be assessor and collector for the District; naming the

county treasurer as treasurer for the District; providing for the handling of the District's funds, his bond, compensation; authorizing the appointment of a depository for the District fund; appointing an auditor, fixing his powers and compensation; empowering the District to pay the premiums on official bonds; providing for the issuance of improvement bonds for the District, fixing the amount, rate of interest, the term thereof, providing for the registration, sale, approval of the bonds, regulating the purchase of bonds and the investment of the sinking funds; providing for the letting of contracts by the District; the use of public property, granting the power of eminent domain; declaring the floods of Harris County to be a public calamity, authorizing a remission of one-half of the State tax for ten years, and providing for the payment of that one-half to the Flood Control District for improvement and maintenance purposes, specifying the reports thereon to be made by the tax collector, authorizing the issuance of bonds secured by a pledge of the funds granted by the State; providing that if any provision of the Act shall be held invalid the other provisions shall not be affected, and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Sharpe, Mr. McKee, Mr. Leonard, Mr. Russell, Mr. Kenyon, Mr. Mays, Mr. McKinney, Mr. Dean, Mr. Davis of Haskell, Mr. Broadfoot and Mr. Harrell:

H. B. No. 235, A bill to be entitled "An Act directing the State Highway Commission to construct and maintain within the corporate limits of any city or town all designated State highways, providing that the State Highway Commission shall have no power to purchase or condemn the right-of-way for such purposes but that such right-of-way shall be acquired as heretofore, repealing all laws and parts of laws in conflict, and declaring an emergency."

Referred to the Committee on Highways and Motor Traffic.

By Mr. Sharpe, Mr. Dean, Mr. Davis of Haskell, Mr. Stocks, Mr. Keith and Mr. Russell:

H. B. No. 236, A bill to be entitled "An Act to amend series '1' (b) of

Section 4, Article 3, House Bill No. 8, Third Called Session, Forty-fourth Legislature."

Referred to the Committee on Revenue and Taxation.

By Mr. Sharpe, Mr. Dean, Mr. Davis of Haskell, Mr. Stocks, Mr. Keith and Mr. Russell:

H. B. No. 237, A bill to be entitled "An Act levying an occupation tax on domino tables operated for profit, allocating the revenues derived from taxes raised hereby, and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Hankamer, Mr. Bridgers and Mr. Jackson:

H. B. No. 238, A bill to be entitled "An Act making appropriations to defray the costs assessed against the State of Texas of the Rio Grande joint investigation being conducted by the National Resources Committee, through the Water Resources Committee, constituted under Act of Congress, and making appropriations to pay the court costs and expenses of the Attorney General in the prosecution of the complaint of the State of Texas in the cause of the State of Texas vs. the State of New Mexico, et al., No. 12 Original, October Term, 1936, in the Supreme Court of the United States, and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Talbert:

H. B. No. 239, A bill to be entitled "An Act amending Article 2007, Revised Civil Statutes of Texas, 1925, and adding thereto a Section to be known as Article 2007a, providing that the Clerks of the District Courts shall upon filing of a plea of privilege dispatch by registered mail a notice and certified copy of such plea to the attorneys of the adverse party and that within five days of the receipt of such notice, contravening pleas must be filed under oath setting out the fact or facts relied upon conferring venue in the Court where the cause is pending, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Gibson, Mr. Alexander and Mr. Thornton:

H. B. No. 240, A bill to be entitled "An Act to amend Article 1546 Revised Penal Code, 1925, defining specific acts constituting swindling; prescribing facts constituting prima facie evidence of violation of said Act; providing that said Act shall be cumulative of all other laws on this subject; declaring the rule in event any provision of this Act is declared unconstitutional or invalid, and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

By Mr. Hardin:

H. B. No. 241, A bill to be entitled "An Act amending Section 6, Chapter 13, Acts of the Forty-second Legislature, Third Called Session, creating a special fund in the State Treasury to be known as the County Rural School Bus Route Fund, providing that the revenue from gasoline tax shall be allocated one-fourth to the Available School Fund, one-fourth to the County and Road District Highway Fund and one cent of the remainder to the County Rural School Bus Route Fund, and the balance to the State Highway Fund."

Referred to the Committee on Revenue and Taxation.

By Mr. Winfree:

H. B. No. 242, A bill to be entitled "An Act declaring it unlawful for any person, firm, corporation, or association of persons to discriminate against an employee because of age; providing a penalty for the violation of the provisions of this Act, and declaring an emergency."

Referred to the Committee on Labor.

By Mr. Tennyson, Mr. Smith of Tarrant, Mr. Dickison, Mr. Beckworth, Mr. Walker, Mr. Smith of Hopkins and Mr. Kern:

H. B. No. 243, A bill to be entitled "An Act to carry into effect Section 48a of Article III of the Constitution; to establish a Teachers' Retirement System of Texas; to determine membership and conditions of membership in said system; to provide for a Board of Trustees of said system and for the administration of its affairs; to provide for officers and a Medical Board and to define their duties; to provide for the adoption of actuarially-made mortality, service and other tables as may be deemed necessary; to provide

for the creation, management and distribution of the Teacher Savings Fund, the State Accumulation Fund, the Annuity Reserve Fund, the Interest Fund, The Permanent Retirement Fund, and the Expense Fund of the said system; and to provide a method of financing said system."

Referred to the Committee on Education.

By Mr. Jones of Falls and Mr. Holland:

H. B. No. 244, A bill to be entitled "An Act granting M. L. Barrett of Bell County, Texas, permission to bring suit against the State of Texas and the State Highway Department, in the District Court of Bell County, Texas, for damages sustained to his property by the construction of road bed and culvert adjacent to his land upon highway number two in Bell County, Texas; impounding water on his land, washing and destroying his farm; providing that such suit may be filed within two (2) years after this Act takes effect; providing for the method of serving process and for procedure governing the trial and determination of such suit, and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Davis of Haskell and Mr. Dean:

H. B. No. 245, A bill to be entitled "An Act to declare a closed season on the killing of deer and turkey in Throckmorton and Shackelford Counties for a period ending February 1st, 1941; prescribing a penalty therefor, and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Davis of Haskell:

H. B. No. 246, A bill to be entitled "An Act to declare a closed season on the killing of quail and dove in Haskell County for a period ending February 1st, 1940; prescribing a penalty therefor, and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Jones of Falls, Mr. Herzik, Mr. Boethel, Mr. Bell, Mr. England, Mr. Dollins, Mr. Cagle, Mr. Hoskins, Mr. Mauritz, Mr. Graves, Mr. Petsch and Mr. Rutta:

H. B. No. 247, A bill to be entitled "An Act defining county mutual in-

surance companies; providing the hazards against which they may write insurance; providing for incorporation of county mutual insurance companies and the requirements therefor; providing for permits to solicit insurance on the mutual or cooperative plan and requirements thereof; providing requirements and contents of charters, authorizing such companies to adopt by-laws for the regulation and management of their affairs; providing for a lien to secure payment of premiums and assessments; liability of policyholders on the mutual plan; authorizing such companies to borrow money and defining solvency of such companies; providing for meetings of policyholders; limiting territory in which it can operate; providing for accumulation of reserve funds and for investment thereof; requiring written annual reports to members; providing for examination of county mutual insurance companies by the Insurance Commission of the State of Texas; providing that such companies now in business shall be known as county mutual insurance companies; providing that charters of such companies expired or about to expire may be extended for an additional fifty years with same rights enjoyed under its original charter and stating prerequisites to such extension; and providing for subsequent renewals of charters; authorizing re-insurance on defined conditions of any or all risks and contracts essential thereto; authorizing organization of local lodges for conduct of business and for representative form of government; providing for removal of officers, exemption from all insurance laws except as herein provided; requiring that by-laws constitute part of contract with insured; providing that unconstitutionality of any part of this Act shall not affect the remainder thereof, and declaring an emergency."

Referred to the Committee on Insurance.

By Mr. Harrell, Mr. Beckworth, Mr. Derden, Mr. Simpson, Mr. Settle, Mr. Gibson, Mr. Bradford and Mr. Sharpe:

H. B. No. 248, A bill to be entitled "An Act providing that no person, firm, corporation or association of persons, who shall sell a motor vehicle by a contract of conditional sale retaining a vendor's lien thereon or who shall loan money on any such

vehicle and retain a mortgage lien thereon shall foreclose such mortgagee's right of redemption only by delivering to the Sheriff of the County where the vehicle is located a copy of the sales contract or loan contract together with a sworn statement that the mortgagee has failed in his payments; providing that the Sheriff shall hold such vehicle 30 days and thereafter shall advertise such car to be sold at public auction for a certain period of time and shall at such sale sell such vehicle to the highest bidder; providing that the Sheriff shall retain \$5.00 as his fee therefrom, the remainder shall satisfy the amount due the holder of the mortgage lien and if any remains shall pay the remainder to the mortgagee; repealing all laws in conflict, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Settle:

H. B. No. 249, A bill to be entitled "An Act amending Article 7272, Revised Civil Statutes of Texas, 1925, as amended by Chapter 141, Acts of the Forty-second Legislature, Regular Session, providing that all real and personal property held or owned by any person in this State shall be liable for all State, county and School District Taxes, and such taxes shall constitute a first lien on such property, and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Loggins:

H. B. No. 250, A bill to be entitled "An Act to fix the salaries and compensation of County Commissioners in counties with a population of not less than thirteen thousand six hundred (13,600) inhabitants, nor more than thirteen thousand seven hundred (13,700) inhabitants, according to the last Federal Census as to population, and providing for the manner of the payment of the salaries and the funds from which said salaries shall be paid; and repealing all laws in conflict herewith, and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Stevenson:

H. B. No. 251, A bill to be entitled "An Act making certain emergency appropriations out of the General Fund of the State of Texas for the

State Tuberculosis Sanatorium for Negroes for the remainder of the fiscal year, ending August 31, 1937, and prescribing certain regulations and restrictions in respect to the expenditure of said appropriations, and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Mays:

H. B. No. 252, A bill to be entitled "An Act providing relief for the Douglasville School District of Cass County, Texas, in order to aid said school district in replacing equipment destroyed by fire in December, 1935; making an appropriation for said district for said equipment, and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Patterson of Travis:

H. B. No. 253, A bill to be entitled "An Act amending Section 1 of Senate Bill No. 356, Chapter 7, Acts, Forty-first Legislature, 1929, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Leonard:

H. B. No. 254, A bill to be entitled "An Act to amend Chapter 3 of Title 128 of the Revised Statutes of 1925, relating to Water Control and Preservation Districts by providing that lands in any such district lying within or adjoining the territorial limits of an incorporated city or town, which was not included in such district at time of the organization of such district, and which lands have been subdivided into town lots and blocks, with streets or other thoroughfares dedicated to the use of the public, and of which a map and such dedication has been duly filed for record with the County Clerk of the County in which such lands are situated, may be discontinued as a part of such District; providing that the Board of Directors may pass resolutions excluding such territory; providing that the owners of such lands may petition the district for an election to determine the question of whether the lands shall be withdrawn, and for the holding of such an election and providing that lands so withdrawn shall no longer be entitled to be served with water from the irrigation system, and that such lands shall be

charged with their pro rata part of existing indebtedness of the said District, and providing that the owners of such lands may pay the total of their pro rata at any time."

Referred to the Committee on Conservation and Reclamation.

By Mr. McCracken and Mr. Little:

H. B. No. 255, A bill to be entitled "An Act providing that the Commissioners Court in each county shall at the first meeting of each new court let a contract to some person, a non-resident of the county for the collection of delinquent taxes; repealing Article 7335, Revised Civil Statutes of Texas, 1925; repealing Article 7332, Revised Civil Statutes of Texas, 1925, as amended by Chapter 16, Acts of the Forty-second Legislature, Second Called Session; prescribing the powers and duties of the person contracting with the Commissioners Court to represent the State in the collection of delinquent taxes and providing for a compensation; providing that in any suit brought against any individual or corporate owner all past due taxes for all previous years on such tract or tracts shall be included, and providing that where there are several lots, in the same addition or subdivision delinquent, belonging to the same owner, all said delinquent lots shall be made the subject of a single suit; providing fees for certain officers in such delinquent tax suits; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Morris:

H. B. No. 256, A bill to be entitled "An Act making certain emergency appropriations out of the General Fund of the State of Texas for the State Service Office of the Adjutant General's Department for the balance of the fiscal year ending August 31, 1937, and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Leonard:

H. B. No. 257, A bill to be entitled "An Act to regulate the conduct of canneries, to create a Division of Cannery Inspection to carry on such regulation, to provide rules regulating the proper sanitation of canneries under

the State Board of Health, providing a constitutional saving clause, and declaring an emergency."

Referred to the Committee on Public Health.

By Mr. Metcalfe, Mr. Mauritz, Mr. Worley, Mr. Lanning, Mr. Walker, Mr. King, Mr. Tennyson, Mr. Smith of Tarrant, Mr. Amos and Mr. Howard:

H. B. No. 258, A bill to be entitled "An Act creating Firemen's Relief and Retirement Fund in the State of Texas and in all cities, towns, and villages thereof having a regularly organized fire department with fire fighting equipment or apparatus of the value of One Thousand (\$1,000.00) Dollars or more therein; levying and appropriating the proceeds of a designated tax upon gross fire insurance premium receipts, less re-insurance and return premiums paid policyholders, to such Firemen's Relief and Retirement Fund; providing for and directing the distribution thereof; creating and providing for selection of a Board of Firemen's Relief and Retirement Fund Trustees in each such city, town or village that may now be or that may hereafter come within the provisions of this Act; prescribing the duties, powers, qualifications, time of meeting, etc., of such Board; providing for and prescribing the time and manner of determining assessments upon firemen participating in the benefits hereunder and for acceptance of donations and other gifts of money in augmentation of such fund; providing for retirement and pension of firemen because of disability, age, length of service, etc., and prescribing the qualifications, amounts, manner of obtaining and who eligible to receive such benefits; providing for and prescribing the amount of allowances or benefits payable to the widow, dependent children or dependent parent and defining who may participate as such beneficiaries; providing for and prescribing the amount of hospitalization and other benefits payable to partly paid or volunteer firemen in case of accident or temporary disability; providing for and prescribing the manner of acceptance of provisions of the Act as prerequisite to participation of benefits thereunder; exempting benefits under this Act from garnishment, execution, attachment or other process and providing such benefits shall not be assignable; providing retired firemen may be recalled to active duty in certain cases;

providing for and prescribing in what cases benefits may be suspended or forfeited; providing for appeals from the order or decision of the Board of Firemen's Relief and Retirement Fund Trustees to Firemen's Pension Commissioner and prescribing the manner and procedure for effecting such appeals; providing for appeals from the order or decision of the Firemen's Pension Commissioner to the proper court of Travis County, Texas; creating the office of Firemen's Pension Commissioner; providing for and prescribing his salary, expenses, duties, powers, etc.; directing city attorneys to represent and appear for Boards of Trustees in cases of appeal from decisions of Boards; providing for investment of the surplus of the Fund and prorating of benefits when Fund insufficient; defining terms; providing a saving clause; providing provisions hereof shall be cumulative of and in addition to all other laws and particularly Articles 6229 to 6243 of the Revised Civil Statutes of Texas and Acts amendatory thereof, and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. King, Mr. Walker, Mr. Laning and Mr. Baker:

H. B. No. 259, A bill to be entitled "An Act amending Title 25, Article 911b, Section 6, of the Revised Statutes of the State of Texas, 1925, (Acts, 1929, Forty-first Legislature, page 698, Chapter 314, as amended by Acts, 1931, Forty-second Legislature, page 480, Chapter 277, Section 6) providing for the sale, lease, assignment, and/or transfer of permits owned or obtained under this section; repealing all laws or parts of laws in conflict therewith, and declaring an emergency."

Referred to the Committee on Highways and Motor Traffic.

By Mr. Cagle:

H. B. No. 260, A bill to be entitled "An Act amending Article 5142A of the Revised Civil Statutes of Texas as adopted by the Forty-second Legislature, Acts, 1931, page 759, Chapter 302, paragraph 1, concerning the qualifications, duties, appointments, salaries, and removal of Probation Officers, and declaring an emergency."

Referred to the Committee on Counties.

HOUSE JOINT RESOLUTIONS ON FIRST READING

The following House Joint Resolutions, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Newton and Mr. Knetsch:

H. J. R. No. 22, Proposing an amendment to Article VIII, Section 1a of the Constitution of the State of Texas, providing that Five Thousand (\$5,000) Dollars of the assessed taxable value of all residence homesteads as now defined by law shall be exempt from taxation for all purposes; providing certain exemptions; providing for an election on the question of adoption or revocation of such an amendment and making an appropriation therefor; providing for the proclamation and publication thereof; and prescribing the form of ballot.

Referred to the Committee on Constitutional Amendments.

By Mr. Sharpe:

H. J. R. No. 23, Proposing an amendment to the Constitution of the State of Texas to be known as Article VIII, Section 20, providing that ad valorem taxes shall be assessed and levied in such way as to permit the payment during the months of October, November and December of the year for which such taxes are assessed, of certain percentages of the amount that such taxes would be if paid after the expiration of the year and providing that the Legislature shall never remit any interest or penalties; providing for an election on the question of adoption or revocation and making an appropriation therefor; providing for the proclamation and publication thereof; prescribing the form of ballot.

Referred to the Committee on Constitutional Amendments.

By Mr. Alsup:

H. J. R. No. 24, Proposing an amendment to the Constitution of the State of Texas, amending Article XVI, Section 61, providing for the abolishing of the salary method of compensating all District, County and Precinct officers of this State, and further providing that the Legislature may prescribe laws for compensating all District, County and Precinct of-

ficers on a fee basis; providing for the submission of this amendment to the voters of this State; providing for proclamation of said election by the Governor; and providing for the necessary appropriation to defray necessary expenses for the submission of this amendment.

Referred to the Committee on Constitutional Amendments.

By Mr. McConnell:

H. J. R. No. 25, Proposing to amend Article III of the Constitution of the State of Texas so as to provide for the election of the House of Representatives for and after the year 1941 to consist of sixty-two Members; the election of a Senate consisting of thirty-one Members. Providing for the manner of their election and length that they shall serve; providing when and how the Legislature shall be convened; providing the salary that each Member shall receive; providing the qualifications of the Members of the House and Senate; providing what should constitute a quorum; providing the manner the vacancy shall be filled; the rules and manner of procedure of the House and Senate; providing the way bills shall be passed; providing the apportionment of the State and Senatorial Districts and prescribing the power and duties of the Legislature of Texas.

Referred to the Committee on Constitutional Amendments.

By Mr. Alsup and Mr. Beckworth:

H. J. R. No. 26, Proposing an amendment to Article III of the Constitution of the State of Texas by adopting a new section to be known as Section 51c which shall provide that the Legislature shall have the power to provide, under such limitations and restrictions as may be deemed by the Legislature expedient for assistance to the blind and for aid to dependent children and for the payment of same not to exceed Fifteen Dollars per month each to actual bona fide citizens of Texas and providing that the requirements for the length of time of actual residence in Texas shall never be less than five years during the nine years immediately preceding the application for such assistance to the blind and continuously for one year immediately preceding such application and providing that

the Legislature may impose such requirements as may be found expedient in cases of aid to dependent children; and providing that the Legislature shall have the authority to accept from the Government of the United States financial aid for assistance to the blind and aid to dependent children; providing for an election on the question of adoption or rejection of such amendment and making an appropriation therefor; providing for the proclamation and publication thereof and prescribing the form of ballot.

Referred to the Committee on Constitutional Amendments.

GRANTING CERTAIN AID TO FLOOD STRICKEN AREA OF KENTUCKY

Mr. Reader offered the following resolution:

H. C. R. No. 12, Granting certain aid to flood stricken area of Kentucky.

Whereas, Due to the fact that the floods now raging in Kentucky and other places in the Midwest creates a major disaster; and

Whereas, Dr. George W. Cox, State Health Officer of Texas, in communication with Dr. Arthur McCormick, State Health Officer of Kentucky, was informed by Dr. McCormick that they were in need of typhoid vaccine; and

Whereas, The State laboratories have a surplus of typhoid vaccine and diphtheria toxoid on hand in Austin; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That Dr. Cox be directed to send all available typhoid vaccine and diphtheria toxoid to the stricken area at the earliest possible time, and that Dr. Cox be further instructed to render any help he thinks necessary that would be of benefit to the people in the flood stricken area.

READER,
DAVIS of Haskell.

The resolution was read second time, and was adopted.

MESSAGE FROM THE SENATE

Austin, Texas, January 25, 1937.
Hon. Robert W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

S. B. No. 54, A bill to be entitled "An Act making an appropriation for the payment of the increase in salaries of the several constitutional officers of the State of Texas as authorized by constitutional amendment voted November 3, 1936; fixing the salaries and providing method of payment of these salaries; supplementing the original appropriation made by the Forty-fourth Legislature for the payment of salaries to these officials, and declaring an emergency."

Respectfully,

BOB BARKER,

Secretary of the Senate.

CONCERNING CERTAIN CONTRACT OF BRAZOS RIVER CONSERVATION AND RECLAMATION DISTRICT

Mr. Alsup offered the following resolution:

Whereas, There is now pending before the Works Progress Administration in Washington a contract between the Brazos River Conservation and Reclamation District and the Texas Power and Light Company; and

Whereas, Such contract agreed upon is not advantageous to the consumers of electric power; and

Whereas, Such contract does not require the Texas Power and Light Company to reduce rates and pass along benefits of obtaining power from Public Works to electric consumers; and

Whereas, The Brazos District discarded the policy of requiring privately owned utilities buying power from public built dams to lower rates; and

Whereas, The contract provides for the following rates for power to wit: one-half ($\frac{1}{2}$) cents per kilowatt; now therefore, be it

Resolved by the House of Representatives, That the contract now waiting for approval by the Works Progress Administration be not approved by said Works Progress Administration; and, be it further

Resolved, That the Works Progress Administration be requested not to approve any contract between the Brazos River Conservation and Reclamation District and the Texas Power and Light Company unless such contract adheres to the policy of the Tennessee Valley Authorities, (requiring privately owned utilities buying power from public built dams to lower rates

to electric consumers); and, be it further

Resolved, That the Chief Clerk of the House of Representatives be directed to immediately forward a copy of this resolution to the Works Progress Administration, Washington, D. C.

ALSUP,

FARMER.

The resolution was read second time.

Mr. James moved that the resolution be referred to the Committee on State Affairs.

Mr. Leonard raised a point of order, on further consideration of the resolution, on the ground that the resolution attempts to do that which is not within the jurisdiction of the Legislature.

The Speaker overruled the point of order.

Mr. Keefe moved to table the motion to refer the resolution.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—77

Alsup	Jones of Angelina
Amos	Keefe
Baker	Keith
Bates	Kern
Beckworth	King
Bell	Knetsch
Boethel	Lankford
Bond	Lanning
Bradbury	Loggins
Brown	London
Burton	Lucas
Callan	Mann
Cleveland	Mauritz
Davis of Haskell	McDonald
Davis of Jasper	McKee
Davison of Fisher	Monkhouse
Deglandon	Morris
Dickison	Newton
England	Oliver
Farmer	Palmer
Fuchs	Patterson of Mills
Gibson	Patterson
Hamilton	of Travis
Hardin	Powell
Harris of Archer	Prescott
Hartzog	Quinn
Heflin	Ragsdale
Huddleston	Reader
Hull	Reed of Bowie
Johnson of Ellis	Rhodes
Johnson	Riddle
of Tarrant	Ross

Russell	Tennant
Simpson	Tennyson
Skaggs	Vale
Smith	Waggoner
of Matagorda	Walker
Smith of Tarrant	Weldon
Stocks	Wood
Talbert	Worley

Nays—54

Adkins	Jones of Atascosa
Alexander	Jones of Falls
Boyer	Kenyon
Bradford	Langdon
Bridgers	Leonard
Cagle	Leyendecker
Carssow	Little
Cathey	Mays
Colquitt	McConnell
Derden	McCracken
Dollins	McFarland
Felty	McKinney
Fielden	Morse
Fox	Nicholson
Graves	Petsch
Hankamer	Pope
Hanna	Roark
Harbin	Rutta
Harrell	Sewell
Harris of Dallas	Sharpe
Harris of Dickens	Shell
Holland	Smith of Hopkins
Hoskins	Stevenson
Howard	Tarwater
Hyder	Thornberry
Jackson	Thornton
James	Winfree

Present—Not Voting

Dean

Absent

Celaya	Schuenemann
Harper	Settle
Herzik	

Absent—Excused

Blankenship	Leath
Broadfoot	Metcalf
Davisson	Moffett
of Eastland	Reed of Dallas
Jones of Wise	Stinson
Kelt	Westbrook

Mr. Hanna raised a point of order, on further consideration of the resolution, on the ground that the time allotted for the consideration of resolutions has expired.

The Speaker sustained the point of order.

Mr. Alsop moved that the House Rule, relative to the time allotted for

the consideration of resolutions, be suspended, at this time, for the purpose of considering the above resolution.

The motion prevailed.

Mr. Keefe moved the previous question on the adoption of the resolution, and the main question was ordered.

Question recurring on the resolution, yeas and nays were demanded.

The resolution was adopted by the following vote:

Yeas—96

Alexander	Knetsch
Alsop	Langdon
Amos	Lankford
Baker	Lanning
Bates	Leyendecker
Beckworth	Loggins
Bell	London
Boethel	Lucas
Bond	Mann
Bradbury	Mauritz
Bridgers	McDonald
Brown	McKee
Burton	McKinney
Cagle	Monkhouse
Callan	Morris
Carssow	Newton
Cleveland	Oliver
Davis of Haskell	Palmer
Davis of Jasper	Patterson of Mills
Davison og Fisher	Patterson
Dean	of Travis
Deglandon	Petsch
Derden	Powell
Dickison	Prescott
Dollins	Quinn
England	Reed of Bowie
Farmer	Rhodes
Felty	Riddle
Fielden	Roark
Fuchs	Ross
Gibson	Russell
Hamilton	Rutta
Harbin	Sewell
Hardin	Sharpe
Harris of Archer	Shell
Hartzog	Simpson
Herzik	Skaggs
Huddleston	Smith
Hull	of Matagorda
James	Smith of Tarrant
Johnson of Ellis	Stocks
Johnson	Talbert
of Tarrant	Tennant
Jones of Angelina	Tennyson
Keefe	Thornberry
Kenyon	Vale
Kern	Waggoner
King	Walker

Weldon	Worley
Winfree	
Nays—32	
Adkins	Howard
Boyer	Hyder
Bradford	Jackson
Cathey	Jones of Atascosa
Celaya	Jones of Falls
Colquitt	Leonard
Fox	Little
Graves	Mays
Hankamer	McFarland
Hanna	Morse
Harper	Pope
Harris of Dallas	Settle
Harris of Dickens	Smith of Hopkins
Heflin	Tarwater
Holland	Thornton
Hoskins	Wood

Present—Not Voting

McConnell

Absent

Harrell	Ragsdale
Keith	Reader
McCracken	Schuenemann
Nicholson	Stevenson

Absent—Excused

Blankenship	Leath
Broadfoot	Metcalfe
Davisson	Moffett
of Eastland	Reed of Dallas
Jones of Wise	Stinson
Kelt	Westbrook

Mr. Alsup moved to reconsider the vote by which the resolution was adopted, and to table the motion to reconsider.

The motion to table prevailed.

EXTENDING INVITATION TO MEMBERS OF THE HOUSE

The Speaker laid before the House, and had read the following communication:

To the House of Representatives of a Great State.

I extend a cordial invitation to all Members of the Forty-fifth Legislature and their friends to view the painting of the Alamo as she was in 1836, not as you see it in San Antonio today.

It was exhibited at the municipal auditorium for four weeks—Gov. James Allred has viewed the painting, and all who have seen it proclaim it an artistic gem.

The painting is copyrighted by the United States. It is 7 feet by 10 feet, and on display at the Driskill Hotel Mezzanine floor, and open to the public free of charge.

COUNT HANS VON HUEBNER,
Artist.

RESOLUTION SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and its caption had been read, the following enrolled resolution:

H. C. R. No. 11, Providing for certain adjournment period for the two Houses.

MESSAGE FROM THE SENATE

Austin, Texas, January 25, 1937.

Hon. Robert W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. C. R. No. 12, Directing Dr. Cox to send all available typhoid vaccine and diphtheria toxoid to the flood stricken area in the Midwest.

Respectfully,

BOB BARKER,
Secretary of the Senate.

MESSAGE FROM THE GOVERNOR

The Speaker laid before the House, and had read, the following message from the Governor:

Austin, Texas, January 25, 1937.

To the Members of the Forty-fifth Legislature:

In my initial message to the Legislature at the outset of this Session I joined in the recommendations and estimates of the State Board of Control for the needs of our Eleemosynary Institutions, which includes, of course, the insane asylums, the homes for feeble-minded, and epileptics and the State orphans' homes.

The needs of these institutions are so acute and the subject of such importance that I now deem it necessary to submit the Board's request for appropriations as an emergency.

According to the Board of Control, on last September 1st there were 727 patients in our insane asylums more than "capacity for good results"; and 267 more than "maximum capacity" of all of the State hospitals for the in-

sane. 1306 patients on furlough and escape are not included in the above figures.

The average annual increase of insane patients is approximately 500. The total additional insane patients which will be housed by additional facilities (for which appropriations have already been made during the present fiscal year ending August 31, 1937) are 1137.

The Board of Control has furnished me with the following statement:

	Insane Patients
"Overload above capacity for good results	(267 over maximum capacity) 727
(Governor's) List of pending applications	884
Average annual gain for present year and the two years of the next bien-nium at 498 per year	1,494
<hr/>	
"(Returns from 1306 on furlough are not being consid-ered here although there are 174 more on furlough than two years ago.)	
Total Additional Beds	3,105
Less:	
Housing facilities provided for this year	1,137
War Veterans soon to be admitted to U. S. Vet-erans Hos-pitals	200 1,337
<hr/>	
Total Additional Housing Capacity needed is	1,768
"Construction Needed to House These 1,768 Pa-tients. Patients build-ings required, using large- ward-type build-ings of 180 patients per building, will cost approximately	\$1,127,000.00
"Power, Heat, Laundry, Sewage, Water and other utility enlarge-	

ments, equipment and facilities needed for present capacities and proposed enlargements at hospitals for the in-sane

176,100.00

"Estimated amount for fire-proofing for all old buildings and provid-ing fire escapes at the hospitals for the in-sane

970,600.00

"Total estimated cost of above construction

\$2,273,700.00

"Add: If new hospital for the insane is to be es-tablished in West Texas costing \$817,000 as recommended by the Board of Control in the budget, which will pro-vide initial housing for 540 patients, then add to the above total the difference between \$817,000 and \$345,600 (cost of ward buildings at present hospitals for 540 patients)

471,400.00

"Total estimated cost to House Insane Patients (including fire-proof-ing old buildings and fire escapes)

\$2,745,100.00

From the foregoing it will be seen that not only are we in need of addi-tional facilities (that is, new build-ings and probably a new asylum), but that our present institutions are in need of repairs for better health and sanitation measures.

Your particular attention is di-rected to the report of the Board as to the amount necessary for fire-proofing all old buildings and pro-viding fire escapes at hospitals for the insane. This is nothing short of startling, and I could not forgive my-self if I did not recommend imme-diate action by the Legislature to see that these buildings are made fire-proof. I recall the horrors to which other states have awakened in the past when an unexpected fire de-stroyed one of their buildings where the insane or feeble-minded are housed.

These unfortunate people should be our very first concern. Some of them are not yet in our State institutions but still incarcerated in jails and

private homes. Recently a delegation of prominent county judges called on me and made a worthwhile suggestion that since the Board of Control is recommending additional facilities I should ask the Legislature to make the appropriations as an emergency in order that the work may go forward without waiting until the end of the fiscal year. I think this a splendid suggestion, and urge immediate action by this Legislature.

2.

Appropriations for Court Costs and Traveling Expenses of the Attorney General's Department

At the present time the Attorney General's Department is representing the State in a number of most important lawsuits. Some of them are pending in the United States Supreme Court. Others will no doubt reach the Supreme Court before the end of the fiscal year. In every instance the clerk of the United States Supreme Court requires a cash deposit on advance for costs. The Attorney General's Department is the recipient even for court costs of the State's "hot" checks.

During my own experience as Attorney General the only way by which the State could get these costs advanced was to have the warrant issued and get some private party to carry them. For our traveling expenses the Attorney General and his Assistants had to borrow the money on their own personal notes, pay interest on same and then discount warrants after the expenses were incurred. I understand the present Attorney General has had to adopt the same methods. This is neither fair nor right.

One of the most important suits pending in the United States Supreme Court is styled Texas vs. New Mexico, instituted in October 1935, involving the distribution of the waters of the Rio Grande. This lawsuit involves the financial welfare of a tremendous portion of Texas citizenship; and the principle involved affects all of us.

At the present the testimony is being prepared by a master in chancery appointed by the United States Supreme Court. The United States Government appropriated \$345,000.00. Colorado, New Mexico and Texas must contribute a total of \$55,000.00 to be divided equally among them.

Colorado and New Mexico have already paid their share of this expense. Texas has not. The Attorney General needs a substantial appropriation available immediately to continue this litigation.

The Forty-fourth Legislature passed a chain store tax law. It was immediately attacked in the district court and held unconstitutional. A voluminous record was made and the Attorney General has appealed in behalf of the State. He tells me he is in need of a substantial appropriation to take care of the costs in this case.

As further indicative of the needs of this department I respectfully refer you to the case of the Green estate which if successfully prosecuted by the State may result in bringing millions of dollars into our treasury. A number of hearings have been held over the country in various State courts. Due to an inadequate appropriation the Attorney General has not been able to have a representative present. No doubt it would have been very helpful to the State's cause if he could have had a representative present at these hearings in other states.

In the past, the traveling expenses appropriated for this department have been unduly limited by the Legislature. In fact, it has been niggardly. Let me illustrate this:

Many of the State's most important cases are before the United States Supreme Court in Washington or before some of the Federal Commissions. A limit of \$3.60 per day for hotel and meals is placed on these Assistants. It is impossible to secure decent hotel accommodations in the City of Washington, to say nothing of meals, for this amount. I suggest that in the appropriation bill a reasonable sum be allowed for the expenses of the Attorney General and his Assistants on official business in Washington. I tell you frankly that during my administration, and I am sure the same is true of the present administration, not a single representative of the Attorney General's Department made a trip to Washington without suffering a considerable financial loss in expenses incurred which he could not put on his account.

There are perhaps other important emergency appropriations that should be made by you, but I regard these, in the order enumerated, as the most

important. I ask that they not be held up awaiting others.

3.

Granting of Clemency

May I respectfully call your attention to the fact that in my first message to the Legislature I submitted as emergency legislation for immediate action the matter of vitalizing the amendment adopted by the people to place the power of clemency in the hands of a board. This amendment is effective February 1st. Unless action is had before that time we will be without any machinery whatever for the extending of clemency.

Respectfully submitted,
JAMES V. ALLRED,
Governor of Texas.

MESSAGE FROM THE SENATE

Austin, Texas, January 25, 1937.
Hon. Robert W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. C. R. No. 10, In Memoriam of Dr. James Quayle Dealey.

Respectfully,
BOB BARKER,
Secretary of the Senate.

SENATE BILL ON FIRST READING

The following Senate bill, received from the Senate today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

S. B. No. 54, to the Committee on Appropriations.

ADDITIONAL SIGNERS OF BILLS

By unanimous consent of the House, the following Members were authorized to sign bills, as co-authors of same, as follows:

Mr. Callan and Mr. Prescott, House Bill No. 10.

Mr. Beckworth and Mr. Riddle, House Bill No. 53.

STANDING COMMITTEES APPOINTED

The Speaker announced the appointment of the following standing committees of the House of Repre-

sentatives of the Forty-fifth Legislature:

Committee on Agriculture

Messrs. Tarwater, Chairman; Huddleston, Vice-Chairman; Alexander, Boethel, Bradford, Broadfoot, Dollins, Fuchs, Harrell, Harris of Archer, Herzik, Keith, Kelt, Moffett, Oliver, Powell, Ragsdale, Russell, Shell, Weldon and Worley.

Committee on Appropriations

Messrs. Graves, Chairman; Settle, Vice-Chairman; Alsup, Amos, Bates, Beckworth, Cagle, Cleveland, Davison of Fisher, Harbin, Harris of Dickens, Hyder, Jones of Falls, Leonard, London, McDonald, Metcalfe, Reed of Dallas, Stevenson, Thornberry and Thornton.

Committee on Banks and Banking

Messrs. Riddle, Chairman; Newton, Vice-Chairman; Callan, Davis of Haskell, Keith, McDonald, Monkhouse, Nicholson, Palmer, Reed of Dallas, Russell, Rutta, Settle, Sewell, Sharpe, Shell, Simpson, Skaggs, Vale, Walker and Weldon.

Committee on Claims and Accounts

Messrs. Waggoner, Chairman; London, Vice-Chairman; Blankenship, Dean, Herzik, Kenyon, Kern, Ross, Sewell, Smith of Tarrant and Wood.

Committee on Commerce and Manufactures

Messrs. Hardin, Chairman; Loggins, Vice-Chairman; Harris of Dallas, Harbin, Knetsch, McKee, Morris, Nicholson, Shell, Thornton and Wood.

Committee on Common Carriers

Messrs. Reed of Dallas, Chairman; Rhodes, Vice-Chairman; Amos, Cathey, Cleveland, Harbin, Hardin, Holland, Jackson, Jones of Angelina, Leyendecker, Loggins, Palmer, Patterson of Travis, Petsch, Pope, Quinn, Sharpe, Stinson, Waggoner and Winfree.

Committee on Congressional and Legislative Districts

Messrs. Lanning, Chairman; Sewell, Vice-Chairman; Celaya, Cleveland, Harris of Dallas, Howard, Hull, Keefe, King, Lucas, Metcalfe, Patter-

son of Mills, Reed of Bowie, Reed of Dallas, Reader, Roark, Russell, Settle, Tarwater, Tennyson and Vale.

Committee on Conservation and Reclamation

Messrs. Moffett, Chairman; Metcalfe, Vice-Chairman; Alexander, Bradford, Celaya, Davis of Jasper, Fuchs, Harris of Dickens, Kelt, Leonard, McDonald, Patterson of Travis, Pope, Powell, Ragsdale, Smith of Matagorda, Stocks, Tarwater, Walker, Weldon and Westbrook.

Committee on Constitutional Amendments

Messrs. Fox, Chairman; Reed of Bowie, Vice-Chairman; Alexander, Cagle, Callan, Deglandon, Farmer, Fielden, Hanna, Harbin, Holland, Johnson of Tarrant, Keith, King, Lankford, Moffett, Petsch, Ross, Rutta, Simpson and Stevenson.

Committee on Contingent Expenses

Messrs. Alsup, Chairman; Harris of Dickens, Vice-Chairman; Jones of Falls, Settle and Sharpe.

Committee on Criminal Jurisprudence

Messrs. Davison of Fisher, Chairman; Burton, Vice-Chairman; Adkins, Boethel, Bond, Broadfoot, Brown, Cathey, Gibson, Harrell, Holland, Kenyon, Loggins, London, McConnell, Petsch, Powell, Russell, Skaggs, Talbert and Wood.

Committee on Counties

Messrs. McFarland, Chairman; Hamilton, Vice-Chairman; Alsup, Broadfoot, Celaya, Davis of Haskell, England, Fielden, Graves, Hanna and Leath.

Committee on Education

Messrs. Tennyson, Chairman; Smith of Tarrant, Vice-Chairman; Adkins, Baker, Bates, Beckworth, Boethel, Brown, Davis of Jasper, Dickson, Harper, Hyder, Jones of Falls, Jones of Angelina, Kern, King, Lankford, Lanning, Patterson of Mills, Prescott and Smith of Hopkins.

Committee on Engrossed Bills

Messrs. Bridgers, Chairman; Westbrook, Vice-Chairman; Celaya, Harris of Archer and Hartzog.

Committee on Enrolled Bills

Messrs. Herzik, Chairman; Baker, Vice-Chairman; Alsup, Johnson of Ellis and Nicholson.

Committee on Examination of Comptroller's and Treasurer's Accounts

Messrs. Broadfoot, Chairman; Cleveland, Vice-Chairman; Davis of Haskell, Davison of Eastland, Felty, Holland, Hull, Keith, Newton and Riddle.

Committee on Federal Relations

Messrs. Quinn, Chairman; Boethel, Vice-Chairman; Cathey, Colquitt, Hankamer, Harper, McConnell, McDonald, Nicholson and Sewell.

Committee on Game and Fisheries

Messrs. Jones of Falls, Chairman; Harper, Vice-Chairman; Cleveland, Dollins, Felty, Fielden, Fuchs, Hartzog, Hoskins, Howard, Jackson, Johnson of Ellis, Leyendecker, Little, McFarland, Mann, Monkhouse, Newton, Shell, Stevenson and Waggoner.

Committee on Highways and Motor Traffic

Messrs. Morris, Chairman; Lucas, Vice-Chairman; Bond, Boyer, Callan, Cathey, Davison of Fisher, England, Fuchs, Hamilton, Harris of Dallas, Hoskins, Jones of Falls, Kenyon, Leath, Loggins, Mann, Mays, Oliver, Reed of Dallas and Westbrook.

Committee on Insurance

Messrs. England, Chairman; Jones of Angelina, Vice-Chairman; Blankenship, Boethel, Bond, Boyer, Callan, Colquitt, Dollins, Felty, Harris of Dallas, Hartzog, Hefflin, Keefe, Leonard, Little, Newton, Simpson, Smith of Matagorda, Stinson and Westbrook.

Committee on Interstate Cooperation

Messrs. Jones of Atascosa, Chairman; Langdon, Vice-Chairman; Jones of Wise, Mauritz and Thornton.

Committee on Judicial Districts

Messrs. Adkins, Chairman; King, Vice-Chairman; Blankenship, Cagle, Gibson, Harper, Little, Mays, Powell, Quinn and Skaggs.

Committee on Judiciary

Messrs. Jones of Wise, Chairman; Howard, Vice-Chairman; Bell, Bond,

Carssow, Fox, Gibson, Graves, Hankamer, Holland, Jones of Angelina, Jones of Atascosa, Knetsch, McCracken, McFarland, Petsch, Powell, Reed of Dallas, Schuenemann, Thornberry and Walker.

Committee on Labor

Messrs. McConnell, Chairman; Amos, Vice-Chairman; Bridgers, Davis of Jasper, Davisson of Eastland, Deglandon, Farmer, Gibson, Heflin, Jackson, Keefe, Leath, Mann, McKee, Quinn, Reader, Roark, Smith of Tarrant, Tennant, Winfree and Worley.

Committee on Liquor Traffic

Messrs. Bradbury, Chairman; Dolins, Vice-Chairman; Bradford, Bridgers, Deglandon, Graves, Hamilton, Harris of Dickens, Harris of Dallas, Herzik, Johnson of Ellis, Keith, Kern, Leyendecker, Moffett, Petsch, Prescott, Reader, Rhodes, Schuenemann and Stocks.

Committee on Live Stock and Stock Raising

Messrs. Harris of Archer, Chairman; Monkhouse, Vice-Chairman; Bradford, Carssow, Davis of Jasper, Huddleston, Kelt, Kenyon, Knetsch, Leyendecker, McKee, Oliver, Patterson of Mills, Rutta, Shell, Smith of Matagorda, Stevenson, Vale, Walker and Weldon.

Committee on Local and Uncontested Bills

Messrs. Farmer, Chairman; Patterson of Mills, Vice-Chairman; Alexander, Lanning, McKee, McKinney and Stinson.

Committee on Military Affairs

Messrs. Fuchs, Chairman; Prescott, Vice-Chairman; Amos, Bond, Hanna, Hoskins, Mays, McKinney, Palmer and Roark.

Committee on Municipal and Private Corporations

Messrs. Hyder, Chairman; Derden, Vice-Chairman; Bell, Blankenship, Bradbury, Burton, Colquitt, Hamilton, Hardin, Hartzog, Heflin, Jones of Wise, Keefe, Langdon, Morris, Riddle, Rutta, Smith of Hopkins, Smith of Matagorda, Talbert and Tennyson.

Committee on Oil, Gas and Mining

Messrs. Worley, Chairman; Leath, Vice-Chairman; Boyer, Davisson of

Eastland, Felty, Fielden, Harris of Archer, Hull, James, Knetsch, Lanning, Little, Mays, Mauritz, Metcalfe, Monkhouse, Nicholson, Roark, Talbert, Tennant and Wood.

Committee on Penitentiaries

Messrs. Palmer, Chairman; Harrell, Vice-Chairman; Alexander, Baker, Beckworth, Bridgers, Davis of Haskell, Dean, Deglandon, Derden, Hull, Hyder, Leath, Loggins, McKinney, Ragsdale, Rhodes, Riddle, Schuenemann, Smith of Hopkins and Morris.

Committee on Privileges, Suffrages and Elections

Messrs. Cagle, Chairman; Ross, Vice-Chairman; Bell, Boyer, Carssow, Derden, Fox, Hankamer, Heflin, Howard, Jones of Angelina, Jones of Atascosa, Lankford, Leonard, McCracken, Moffett, Schuenemann, Stinson, Tennant, Thornberry and Thornton.

Committee on Public Health

Messrs. Davis of Haskell, Chairman; Stocks, Vice-Chairman; Burton, Carssow, Dean, Dickison, England, Hamilton, Herzik, Huddleston, Jackson, James, Johnson of Tarrant, Leyendecker, McConnell, Monkhouse, Newton, Reader, Sharpe, Smith of Matagorda and Vale.

Committee on Public Lands and Buildings

Messrs. Davisson of Eastland, Chairman; Schuenemann, Vice-Chairman; Adkins, Bates, Bradford, Dickison, Farmer, Felty, Hankamer, Hoskins, Huddleston, Jackson, Jones of Atascosa, Langdon, Pope, Skaggs, Stevenson, Talbert, Tennant, Tennyson and Thornberry.

Committee on Public Printing

Messrs. Cathey, Chairman; Lankford, Vice-Chairman; Burton, Bridgers, Dean, Hyder, James, Johnson of Tarrant, McCracken, McFarland and Waggoner.

Committee on Revenue and Taxation

Messrs. Roark, Chairman; James, Vice-Chairman; Baker, Bell, Dean, Derden, England, Johnson of Tarrant, Jones of Atascosa, Jones of Wise, King, Langdon, McCracken, McFarland, Mauritz, Morris, Palmer, Patterson of Mills, Reed of Bowie, Skaggs and Tarwater.

Committee on Rules

Messrs. Petsch, Chairman; Bell, Vice-Chairman; Metcalfe, Pope and Smith of Hopkins.

Committee on School Districts

Messrs. Brown, Chairman; Johnson of Ellis, Vice-Chairman; Amos, Bates, Bradbury, Davis of Jasper, Langdon, Mann, McKinney, Patterson of Travis and Smith of Hopkins.

Committee on State Affairs

Messrs. Mauritz, Chairman; Keefe, Vice-Chairman; Bradbury, Broadfoot, Brown, Carssow, Farmer, Fox, Hardin, Harper, Huddleston, Johnson of Ellis, Jones of Wise, Kelt, Kern, Lucas, Winfree, Prescott, Ragsdale, Rhodes and Ross.

Committee on State Eleemosynary and Reformatory Institutions

Messrs. Patterson of Travis, Chairman; Ragsdale, Vice-Chairman; Beckworth, Brown, Callan, Colquitt, Davison of Fisher, Dickison, Harrell, Kelt, London, Lucas, Oliver, Reed of Bowie, Simpson, Smith of Tarrant, Stinson, Stocks, Talbert, Waggoner and Winfree.

RESOLUTION SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and its caption had been read, the following enrolled resolution:

H. C. R. No. 12, Granting certain aid to flood stricken area of Kentucky.

ADJOURNMENT

Mr. Fuchs moved that the House recess to 2:00 o'clock p. m., today.

Mr. Colquitt moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Question first recurring on the motion by Mr. Colquitt, it prevailed, and the House, accordingly, at 12:00 m., adjourned until 10:00 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The Committee on Appropriations filed a favorable report on House Bill No. 65.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,

Austin, Texas, January 25, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 11, Granting both Houses permission to adjourn to January 25, 1937.

Has carefully compared same and finds it correctly enrolled.

LOUISE SNOW PHINNEY,
Chief Clerk.

Committee Room,

Austin, Texas, January 25, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 12, Directing Dr. George W. Cox to send all available typhoid vaccine and diphtheria to Kentucky and other stricken areas in the Midwest.

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

In Memory of Mrs. Martha J. Reed

Mr. Harris of Dallas offered the following resolution:

Whereas, The House learned with regret of the death of Mrs. Martha J. Reed of Dallas, mother of our beloved fellow Member, the Hon. W. O. Reed; and

Whereas, Mrs. Martha J. Reed was an honored and valuable citizen of her community whose death is a distinct loss to her county and state; now, therefore, be it

Resolved by the House of Representatives, That the Members thereof regret exceedingly the untimely passing of this worthy woman and deeply sympathize with her bereaved family; and, be it further

Resolved, That a copy of this resolution be spread upon the House Journal of today in memory of the deceased; and, be it further

Resolved, That when the House adjourns today that it do so in respect and in memory of Mrs. Martha J. Reed; and, be it further

Resolved, That the Chief Clerk of the House of Representatives be instructed to send a floral offering, and that a copy of this resolution be sent to the family of the deceased.

HARRIS of Dallas,
STINSON,
HANNA,
BLANKENSHIP,
COLQUITT.

The resolution was read second time.

Signed—Calvert, Speaker; Adkins, Alexander, Alsup, Amos, Baker, Bates, Beckworth, Bell, Boethel, Bond, Boyer, Bradbury, Bradford, Bridgers, Broadfoot, Brown, Burton, Cagle, Callan, Carssow, Cathey, Celaya, Cleveland, Davis of Haskell, Davis of Jasper, Davison of Fisher, Davisson of Eastland, Dean, Deglandon, Derden, Dickison, Dollins, England, Farmer, Felty, Fielden, Fox, Fuchs, Gibson, Graves, Hamilton, Hankamer, Harbin, Hardin, Harper, Harrell, Harris of Archer, Harris of Dickens, Hartzog, Heflin, Herzik, Holland, Hoskins, Howard, Huddleston, Hull, Hyder, Jackson, James, Johnson of Ellis, Johnson of Tarrant, Jones of Angelina, Jones of Atascosa, Jones of Falls, Jones of Wise, Keefe, Keith, Kelt, Kenyon, Kern, King, Knetsch, Langdon, Lankford, Lanning, Leath, Leonard, Leyendecker, Little, Loggins, London, Lucas, Mann, Mauritz, Mays, McConnell, McCracken, McDonald, McFarland, McKee, McKinney, Metcalfe, Moffett, Monkhouse, Morris, Morse, Newton, Nicholson, Oliver, Palmer, Patterson of Mills, Patterson of Travis, Petsch, Pope, Powell, Prescott, Quinn, Ragsdale, Reader, Reed of Bowie, Rhodes, Riddle, Roark, Ross, Russell, Rutta, Schuenemann, Settle, Sewell, Sharpe, Shell, Simpson, Skaggs, Smith of Hopkins, Smith of Matagorda, Smith of Tarrant, Stevenson, Stocks, Talbert, Tarwater, Tennant, Tennyson, Thornberry, Thornton, Vale, Waggoner, Walker, Weldon, Westbrook, Winfree, Wood and Worley.

On motion of Mr. James, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.

In Memory of Judge Samuel J. Hunter

Mr. Farmer offered the following resolution:

Whereas, The House of Representatives has learned that a former Member of this House, Judge Samuel J. Hunter, passed to the great beyond on Friday, January 22nd, 1937, in the City of Fort Worth, having reached the ripe and honorable age of ninety-one years; and

Whereas, Judge Hunter, more than twenty-five years ago, was a member of the Court of Civil Appeals for the Second Supreme Judicial District at Fort Worth for years, and in that capacity served this State with distinction, and by his eminently fair and learned decisions reflected great credit upon the Judiciary of Texas; and

Whereas, Later, after rendering such distinguished judicial service, he did not deem it beneath his dignity to serve the people of his county and the State of Texas in the House of Representatives in the Thirty-third Legislature; and

Whereas, In such service he devoted himself to the reform of judicial procedure; and

Whereas, He was a native of the great State of Kentucky, having been born in the year 1846, by choice he adopted the State of Texas and came here in 1873, thereafter practicing law at Paris and Sulphur Springs and came to Fort Worth in the year 1884, where he remained until the time of his death; and

Whereas, Judge Hunter was one of those men of whom the poet Holland wrote,

"Tall men, sun crowned,
Who live above the fog
In public duty and private thinking."

This distinctly fitted Judge Hunter; and

Whereas, Judge Hunter was a man of unimpeachable integrity, well learned in the law, affable in manner, and the friend of all; and

Whereas, Texas has lost an eminent lawyer, a splendid Judge, and the masses of Texas have lost a friend; and

Whereas, Judge Hunter is survived by his wife, Mrs. Anna Elizabeth Hunter, who has been devoted to him in his declining years, and has continually been in attendance upon him during his illness, and is further survived by one son, Mr. Horace Hunter of Oklahoma City, and four grandchildren; and

Whereas, Of this departed jurist let it be said,

"Green be the turf above thee,
Friend of my better days;
None knew thee but to love thee,
Nor named thee but to praise."

Now, therefore, be it

Resolved, That the House of Representatives does declare that it mourns the loss of this eminent jurist; and that this resolution be printed in the House Journal as a testimonial to his memory and for the eminent service

that he performed in this House while a Member of the Thirty-third Legislature; that a copy of same be mailed to his wife, Mrs. Anna Elizabeth Hunter, at Fort Worth, Texas, and Mr. Horace Hunter, Oklahoma City, Oklahoma; and that when the House adjourns for the day that it do so in honor of his memory.

FARMER,
SMITH of Tarrant,
JOHNSON of Tarrant,
AMOS,
HULL.

The resolution was read second time.

Signed—Calvert, Speaker; Adkins, Alexander, Alsup, Baker, Bates, Beckworth, Bell, Blankenship, Boethel, Bond, Boyer, Bradbury, Bradford, Bridgers, Broadfoot, Brown, Burton, Cagle, Callan, Carssow, Cathey, Celaya, Cleveland, Colquitt, Davis of Haskell, Davis of Jasper, Davison of Fisher, Davisson of Eastland, Dean, Deglandon, Derden, Dickison, Dollins, England, Felty, Fielden, Fox, Fuchs, Gibson, Graves, Hamilton, Hankamer, Hanna, Harbin, Hardin, Harper, Harrell, Harris of Archer, Harris of Dallas, Harris of Dickens, Hartzog, Heflin, Herzik, Holland, Hoskins, Howard, Huddleston, Hyder, Jackson, James, Johnson of Ellis, Jones of Angelina, Jones of Atascosa, Jones of Falls, Jones of Wise, Keefe, Keith, Kelt, Kenyon, Kern, King, Knetsch, Langdon, Lankford, Lanning, Leath, Leonard, Leyendecker, Little, Loggins, London, Lucas, Mann, Mauritz, Mays, McConnell, McCracken, McDonald, McFarland, McKee, McKinney, Metcalfe, Moffett, Monkhouse, Morris, Morse, Newton, Nicholson, Oliver, Palmer, Patterson of Mills, Patterson of Travis, Petsch, Pope, Powell, Prescott, Quinn, Ragsdale, Reader, Reed of Bowie, Reed of Dallas, Rhodes, Riddle, Roark, Ross, Russell, Rutta, Schuenemann, Settle, Sewell, Sharpe, Shell, Simpson, Skaggs, Smith of Hopkins, Smith of Matagorda, Stevenson, Stinson, Stocks, Talbert, Tarwater, Tennant, Tennyson, Thornberry, Thornton, Vale, Waggoner, Walker, Weldon, Westbrook, Winfree, Wood and Worley.

On motion of Mr. Fielden, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.

In Memory of
Dr. James Quayle Dealey

The Speaker laid before the House, for consideration at this time, the following resolution:

Senate Concurrent Resolution No. 10, In memoriam Dr. James Quayle Dealey.

Mr. President and Gentlemen of the Senate:

It is both fitting and proper that the Senate of Texas, the House of Representatives concurring, should take notice at this hour of the passing of one of the most distinguished citizens of Texas. On last Friday while sitting at his desk busily engaged in viseing the editorial columns of the Dallas News, Dr. James Quayle Dealey, its late editor, quit this life, firmly ensconced in the affections of all who knew him during his long and eventful career. It would be inadequate indeed to give merely a chronological history of this great citizen, but it is important to say that when his books were closed there ended a life of usefulness that will rest as a benediction upon the people of Texas from generation to generation.

He was born in Manchester, England, on August 13, 1861, and at the early age of nine emigrated with his parents in an old fashioned sailboat for Galveston, Texas, where they landed after six weeks of stormy voyage. He was one of a family of nine children, consisting of four boys and five girls. Soon after their arrival in Galveston his two older brothers, Thomas W., and George B. Dealey, found employment with the Galveston News, which at that time was edited by Colonel A. H. Belo, one of the soundest and greatest editors which these Southern States have produced. At seventeen the boy James Quayle Dealey, secured employment alongside his brothers, where he worked assiduously until 1884, and became proficient in all departments of the business office, mailing room and circulation department of the News.

During this time he learned the fundamentals of newspaper work, but never lost sight of the ambition which he possessed for a thorough education. He attended the schools in Galveston during his childhood and while doing this, and performing his manifold duties with the Galveston News, he decided to become a teacher; and in order to perfect himself in this chosen profession he entered Brown University at Providence, Rhode Island, where he was graduated with a B. A. Degree, in 1890. From that date forward for thirty-nine years he followed and built up a notable academic career. Immediately after graduation he became a member of the first faculty of the Denton Normal School, now the North Texas State Teachers' College at Denton, Texas; and after one year's teaching there became instructor of languages at the Vermont Academy at Saxton's River, Vermont; and in 1893 commenced his tenure of teaching as a member of the faculty in Brown University, where he graduated. He continued in this profession, at the head of the School of Languages, and later of Social Sciences, for thirty-six years, where he gained a reputation of international renown as one of the leading educators of this country.

In 1893 he received his Master's Degree from Brown University and two years later received his Degree of Doctor of Philosophy from the same Institution. In 1930 Baylor University at Waco conferred upon him the Honorary Degree of Doctor of Literature for his outstanding work in this field. During his long tenure as a member of the faculty of Brown University he became closely associated with Dr. Leslie F. Ward, under whom he had pursued his work as a student at that Institution, and collaborated with him in writing a textbook on Sociology which attracted world-wide attention.

Besides assisting Dr. Ward in this work Dr. Dealey himself was the author of a great many books which have added greatly to our knowledge of the development of Government in this and other countries. Notable among these works are:

1. "Our State Constitution."
2. "The Development of the State."
3. "Ethical and Religious Significance of the State."
4. "The Family and Its Sociological Aspects."
5. "Growth of the State Constitutions."
6. "State and Government."
7. "Foreign Policies of the United States." and
8. "Political Situations in Rhode Island."

Besides his school work he was a distinguished lecturer at the Naval War College, and in that way won great favor among the officers of the Army and Navy.

In 1929 he came back to Texas to assume the editorship of the Dallas News and Journal, where the workings of his great intellect and humanitarian ideas came in closer contact with the people of Texas. During his seven years editorship of these papers his worldwide knowledge was continuously reflected in the editorial pages of this great paper, in a way which gave him first place among American editors. The last editorial which he wrote on the morning of the day he died, and which appears in today's Dallas News, gives a keen insight on the situation in Japan, China and Russia, and was gained by close study of those peoples on occasions of his many visits to the Far East in times past. He served as Exchange Professor at Shanghai University in China for a period, and in that way gained intimate knowledge concerning the Governments in the Orient. Most of Dr. Dealey's life was spent in two fields, education and journalism, and his frequent trips to China and Japan during the time in which he was engaged in educational work, developed a keen interest in him concerning matters in the Far East, and developed in him expert knowledge on international relationships. At various times during his collegiate career he was elected the head of great Social Science Associations, and became not only a profound thinker but an accomplished speaker; both on the rostrum and among the more cloistered educational groups.

During his entire career he was a close student of constitutional government and wrote many articles on proposed changes in the fundamental laws of the various States. In everything he attempted to do there was a progressiveness which pointed the way to a sure and sound progress for the public good. It was somewhat late in life when he quit the role of a school-master to take up his greater advances in the role of editor, a field in which he achieved nation-wide distinction. As a mark of his ability in this broader field newspapers throughout the land have given him a first place in their affections. It is little wonder then that the people of Texas were shocked with an inexpressible grief when they learned of his passing.

That he was one of the most highly respected and best loved citizens of this State will be attested by the people throughout its broad domain. Unselfish to an exceptional degree his whole life was dedicated to the public good. It was said by Lord MacCauley, the great English writer and Statesman, that "The world generally gives its admiration not to the man who does what nobody else ever attempts to do, but to the man who does best what multitudes do well." This thought well illustrates what might be aptly said of Dr. Dealey. As an educator, an editor, a citizen and a friend to all mankind he did best what multitudes have done well; and he deserves to be ranked among the State's immortals.

In order to measure the full appreciation of the affection which his friends had for him one need but ask, what finer use could be made of a life than

he made of his. He impressed upon every moment of his time the seal of unremitting toil, and fidelity to duty as he saw it. To him came many positions of trust and honor, and upon each of them he impressed a distinguished service. He went his way unselfishly seeking opportunities to do good, always and everywhere, with humble spirit and contrite heart, keeping uppermost in his mind the thought of serving others who had lost their way in the unequal battles of life. He looked upon the years allotted to man as a consecrated trust and counted the work of no day done which did not leave a lasting influence for good indelibly stamped on the hearts of those around him.

Next to his family, the welfare of the city in which he lived and his State and Nation were objects of his continued care; and there was never a movement looking to their betterment and progress that did not command his attention in a forceful way. No man in Texas contributed more generously of his time, his energies, his talents, and his substance to the upbuilding of Texas and our common country, than did Dr. Dealey. Under his direction the great newspaper which he edited wrought mightily in its efforts to build a better State; and its eminence among the publications of the South is a testimonial of how well he performed that task.

Dr. Dealey was of a retiring disposition, but when surrounded by friends was a man of rare social gifts. He was especially endeared to his business and professional associates, as attested by them on every proper occasion. When death came they paid him tribute without stint or exception, and it may be truly said that in his taking leave of them there is left a vacant chair which never can be filled. As father, educator, editor, citizen or friend, he was always considerate of the happiness of others, and even when his struggles were hard he met them face-forward, and without complaint.

Born in the British Empire, and coming from that sturdy English stock which has made for the advancement of the peoples of the world, he inherited their ideals which recognized and taught, there could be no manly character without honor and integrity to back it. These are the foundation stones upon which all else rested with him. No taint of wrong-doing ever soiled his garments, and no whisper of sharp dealing was ever uttered against him. He exemplified and typified the finest graces that adorned the men of his generation, and notwithstanding the political unrest in the world today, he never wavered in his support of, nor lost confidence in the fundamental laws upon which this government was founded.

After having reached these shores, as an immigrant boy from the Old World, he was quick to grasp the chivalry which characterized the pioneer settlers of Texas, and with them he cherished the traditions of the South as much as any native son among us. This, combined with his inherent honesty and intellectual attainments, made him an attractive person in any company. He did not, like Hamlet, soliloquize with himself, by inquiring whether or not it would be profitable "to die, to sleep, to wake; to be, or not to be?" His was more of that character of mind which caused the Bard of Avon make Polonius say to Larrtes his offspring: "This above all: to thine own self be true, and it must follow, as the night the day, thou canst not then be false to any man." For him, always came the call of Seneca's Pilot, when amidst the tempests of surging seas, he exclaimed to Neptune—

"Thou may save me if thou wilt,
And may, if thou wilt, destroy me;
But whether or no, I will steer my rudder true!"

Moreover, there was a deeply religious side to his life. In his youth he joined the Baptist Church at Galveston, and remained true to that Faith to the end of his eventful career. In this day of doubt, for him there was no doubt; in a day when men say they do not know what lies beyond the grave, he had faith to believe that somewhere beyond this sphere of human

activity there must be a "City not made with hands, eternal in the Heavens." In a day for many, this hope is hushed in silence, but for him it furnished a buoyancy which gave zest and color to a beautiful life. Courage, kindness, and courtesy were the triple links which bound him in deathless ties to every hope that animates the spirit and blesses the lives of all mankind.

And now, with the multitudes who loved him, we bid him good-bye; with the hope that he has heard the judgment read, "Well done thou good and faithful servant." Let it be echoed back from the unseen shore, "So valiant-for-truth passed over and all the trumpets sounded for him on the other side."

Mr. President: After having expressed in our feeble way, an estimate of this great citizen, and our sorrow at his sudden passing, it is resolved by the Senate of Texas, the House of Representatives concurring, that this memorial be printed in the Journals of the Senate and House, as a tribute of our affection to his memory, that a copy of same be mailed to each member of his family, and that when each House adjourns for the day, it do so in his honor.

Respectfully submitted,
HOLBROOK.

The resolution was read second time.

Signed—Pace, President Pro. Tempore; Aikin, Beck, Brownless, Burns, Collie, Cotten, Davis, Head, Hill, Isbell, Lemens, Moore, Neal, Nelson, Newton, Oneal, Rawlings, Redditt, Roberts, Shivers, Small, Spears, Stone, Sulak, Van Zandt, Weinert, Westerfeld, Winfield and Woodruff.

Signed—Calvert, Speaker; Adkins, Alexander, Alsup, Amos, Baker, Bates, Beckworth, Bell, Blankenship, Boethel, Bond, Boyer, Bradbury, Bradford, Bridgers, Broadfoot, Brown, Burton, Cagle, Callan, Carssow, Cathey, Celaya, Cleveland, Colquitt, Davis of Haskell, Davis of Jasper, Davison of Fisher, Davison of Eastland, Dean, Deglandon, Derden, Dickison, Dollins, England, Farmer, Felty, Fielden, Fox, Fuchs, Gibson, Graves, Hamilton, Hankamer, Hanna, Harbin, Hardin, Harper, Harrell, Harris of Archer, Harris of Dallas, Harris of Dickens, Hartzog, Heflin, Herzik, Holland, Hoskins, Howard, Huddleston, Hull, Hyder, Jackson, James, Johnson of Ellis, Johnson of Tarrant, Jones of Angelina, Jones of Atascosa, Jones of Falls, Jones of Wise, Keefe, Keith, Kelt, Kenyon, Kern, King, Knetsch, Langdon, Lankford, Lanning, Leath, Leonard, Leyendecker, Little, Loggins, London, Lucas, Mann, Mauritz, Mays, McConnell, McCracken, McDonald, McFarland, McKee, McKinney, Metcalfe, Moffett, Monkhouse, Morris, Morse, Newton, Nicholson, Oliver, Palmer, Patterson of Mills, Patterson of Travis, Petsch, Pope, Powell, Prescott, Quinn, Ragsdale, Reader, Reed of Bowie, Reed of Dallas, Rhodes, Riddle, Roark, Ross, Russell, Rutta, Schuenemann, Settle, Sewell, Sharpe, Shell, Simpson, Skaggs, Smith of Hopkins, Smith of Matagorda, Smith of Tarrant, Stevenson, Stinson, Stocks, Talbert, Tarwater, Tennant, Tennyson, Thornberry, Thornton, Vale, Waggoner, Walker, Weldon, Westbrook, Winfree, Wood and Worley.

On motion of Mr. Colquitt, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.